IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25513 of 2008
PAWAN KUMAR
Versus

STATE OF BIHAR
- - - -

2. 9.7.2008 Heard.

The case is under Sections 392 and 412 of the Indian Penal Code. The petitioner is not named in the F.I.R. and he is in custody since 20.5.2008.

The contention is that accused Jitendra and Raju Kumar confessed their guilt before the police and stated that the motorcycle was handed over to one Prem Chand Kumar. In their confessional statements they stated that the motorcycle was kept in the house of the petitioner and pursuant to that statements the recovery was made. It is contended that the above named three accused have been granted bail by this Court and copies of the orders have been produced before me. The, plea taken by each of them was that the recovery was from the other than the said accused persons. Considering that the subject matter of theft has been recovered from the possession of the present petitioner, I am not inclined to direct his release on

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bail for the present.

The petition is dismissed.

However, as soon as the petitioner completes one year of imprisonment from the date of first remand in Maner p.S.Case No.116 of 2004 the Additional Chief Judicial Magistrate, Danapur, shall release him on bail on his furnishing a bond to his own satisfaction.

Kanth

(Dharnidhar Jha, J.)

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